

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARCELINO CASTRO,

Plaintiff,

v.

CITY OF NEW YORK; JANET SMITH;
LEISHA ORTIZ; OCTAVIAN DUGGINS &
TRISHANN MOWAT,

Defendants.

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 11/15/19

No. 16-CV-8147 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 3, 2019, Defendants filed a motion for summary judgment. Plaintiff's response to Defendants' motion was due by October 24, 2019. The Court has not received a response from Plaintiff. No later than December 6, 2019, Plaintiff shall file either a response to Defendants' motion or a letter indicating that he does not intend to file a response. If Plaintiff informs the Court that he intends to pursue this action but chooses not to oppose Defendants' motion, then the Court will deem the motion fully briefed and take it under submission. *See Jackson v. Fed. Exp.*, 766 F.3d 189, 194 (2d Cir. 2014). If, however, Plaintiff does not respond to this Order, either by responding to the motion for summary judgment or by submitting a letter indicating that he does not intend to do so, then the Court may dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: November 15, 2019
New York, New York



Ronnie Abrams
United States District Judge